

RECEIVED

MARKED COPY

2015 APR -2 PM 3: 57

OFFICE OF THE SECRETARY
FEDERAL MARITIME COMM

U.S. SUPPLEMENTAL AGREEMENT
TO HLC AGREEMENT
FMC AGREEMENT NO. 012067-011 010
4TH 3RD REVISED PAGE A1

APPENDIX A
NAMES AND ADDRESSES OF PARTIES

The following are the names and addresses of the principal offices of the parties to this Agreement:

BBC Chartering Carriers GmbH & Co. KG¹
Hafenstrasse 12
D-2678 Leer, GERMANY

BBC Chartering & Logistic GmbH & Co. KG¹
Hafenstrasse 12
D-2678 Leer, GERMANY

~~Beluga Chartering GmbH~~
~~Schlachte 22~~
~~D-28195 Bremen, GERMANY~~

Chipolbrok (Chinese-Polish Joint Stock Shipping Company)	
ul. Ślaska 17	<u>55 Yanan Road East</u>
81-319	<u>Post Code 200002</u>
Gdynia 226, POLAND	<u>Shanghai, CHINA</u>

~~Clipper Projects Ltd.~~
~~Harbour House~~
~~Sundkrogsgade 21~~
~~DK 2100 Copenhagen, DENMARK~~

Hanssy Shipping Pte. Ltd.
1 Temasek Avenue, #24-05
Millennia Tower
039192 SINGAPORE

Hyundai Merchant Marine Co., Ltd.
66 Jeokseon-Dong, Jongno-Gu
Seoul 110-052, KOREA

¹ BBC Chartering Carriers GmbH & Co. KG and BBC Chartering & Logistic GmbH & Co. KG shall be treated as a single party with joint and several liability under this Agreement.

U.S. SUPPLEMENTAL AGREEMENT
TO HLC AGREEMENT
FMC AGREEMENT NO. 012067-011 ~~009~~
5TH ~~4TH~~ REVISED PAGE A2

Industrial Maritime Carriers, L.L.C.
Suite 2400
One Canal Plaza
365 Canal Street
New Orleans, LA 70130-1112, U.S.A.

Nordana Line A/S
Rungsted Strandvej 113
2960 Rungsted Kyst, DENMARK

Rickmers-Linie GmbH & Cie. KG
Neumühlen 19
22763 Hamburg, GERMANY

Safmarine MPV N.V.
~~De Gerlaschekaai 20~~ Schaliënstraat 5
2000 Antwerp, BELGIUM

U.S. SUPPLEMENTAL AGREEMENT
TO HLC AGREEMENT
FMC AGREEMENT NO. 012067-011 007
3RD ~~2ND~~ REVISED PAGE B2

International Council of Heavy Lift and Project Carriers (HLC) Agreement
1st Edition, April 6, 2009
3rd ~~2nd~~ Revised Page 1

WHEREAS, the undersigned carriers (hereafter the “carrier members” or individually referred to as “carrier member”), are carriers that individually satisfy the membership criteria set forth in Article 3 hereof; and are engaged in the routine ocean transport of project and heavy lift cargos in international trades, utilizing a long-term controlled fleet of self-sustained vessels, with one or more of such vessels having a minimum lifting capacity of 150 tons; and

NOW THEREFORE, the carrier members, subject to all conditions and terms expressed in this Agreement hereby agree to form the International Council of Heavy Lift and Project Cargo Carriers a/k/a The Heavy Lift Club as follows:

ARTICLE 1 – NAME

The name of this organization shall be International Council of Heavy Lift and Project Cargo Carriers a/k/a The Heavy Lift Club (“Council” or “HLC”).

The situs of the Council for purposes of communication and correspondence shall be the city in which the carrier member represented by the Council’s Chairman is located.

ARTICLE 2 – PURPOSE

The purpose of the Council shall be to provide a forum for the discussion of all areas of concern to the carrier members regarding heavy lift and project cargos, including but not limited to: facilitation of long range planning with respect to a broad range of external factors (such as macroeconomic trends and regulatory developments); identification of emerging trends and distinguishing the same from anomalies; and raising awareness within the shipping industry, governmental bodies, and other groups or organizations (as appropriate) about all aspects of marine transport of heavy lift and project cargos.

ARTICLE 3 – CRITERIA FOR MEMBERSHIP AND PARTIES

All carrier members shall meet the following criteria in order to join the Council and maintain status as a carrier member:

A company engaged in the routine ocean transport of project and heavy lift cargos in international trades, utilizing a long-term controlled fleet the normal complement of which shall include three (3) or more self-sustained vessels each with a minimum lifting capacity of 150 tons. Long-term controlled fleet shall mean a fleet engaging in such transport for the most recent 12 month period ending on each day of the company’s membership in the Council. ~~of self-sustained vessels, with one (1) or more of such vessels having a minimum lifting capacity of 150 tons.~~

U.S. SUPPLEMENTAL AGREEMENT
TO HLC AGREEMENT
FMC AGREEMENT NO. 012067-011 007
2ND 1ST REVISED PAGE B3

International Council of Heavy Lift and Project Carriers (HLC) Agreement
1st Edition, April 6, 2009
2nd 1st Revised Page 2

The current parties to this Agreement are set forth in Appendix "A".

4 – GEOGRAPHIC SCOPE

(a) The geographic scope of this Agreement is worldwide and shall extend to the carriage of cargo via any combination of direct, transshipment or intermodal service between ports and points in all countries.

(b) The carrier members shall comply with the requirements of each country having jurisdiction over each trade covered by this Agreement. However, the signing of this Agreement or any supplemental agreement by any carrier member is not intended to confer jurisdiction over the carrier member by any country not having jurisdiction over the trades served by that carrier member, nor is the filing of this Agreement or any supplemental agreement or the taking of any other action in any country intended to expand the jurisdiction of that country to trades not otherwise within that country's jurisdiction.

(c) Each carrier member shall keep the Council apprised of all trades in which it is engaged, and prior to participating in this Agreement with respect to any new trade it shall provide reasonable advance notice to the Council that it intends to serve such trade.

ARTICLE 5 – AGREEMENT AUTHORITY

(a) The carrier members shall have authority to discuss and exchange information relating to a broad range of factors and sector specific topics, which includes matters that are within the Purpose of the Council (as specified in Article 2), environmental controls, governmental regulations, technological developments, fuel and energy requirements, monetary and fiscal policies, government-controlled fleets, and governmental programs which affect maritime activities. This Agreement, as well as any subjects or actions that may require separate or supplemental agreement(s), shall be non-binding, voluntary agreements (except with respect to administrative matters). All discussions, information exchanges and other activities conducted under this Agreement shall be subject to and in accordance with all applicable laws of any country having jurisdiction over the applicable trade(s).

(b) The Council and carrier members may also consult as appropriate with Governments, inter-Governmental bodies and other groups or organizations, including groups or organizations with shipper members, with respect to the subjects covered by this Agreement.

(c) In conducting any activity under this Agreement with respect to each trade covered hereby, the Council and each carrier member shall abide by all legal requirements imposed by each country having jurisdiction over the trade.

U.S. SUPPLEMENTAL AGREEMENT
TO HLC AGREEMENT
FMC AGREEMENT NO. 012067-011 010
6TH 5TH REVISED PAGE B7

International Council of Heavy Lift and Project Carriers (HLC) Agreement
1st Edition, April 6, 2009

Appendix "A"

AAL/Schoeller Holdings Ltd.
Columbia House
P.O. Box 51624 – CY Dodekanison
Limassol, CYPRUS

Asia Break Bulk (Singapore) Pte. Ltd.
3 Phillip St. # 12-02
048693 SINGAPORE

BBC Chartering Carriers GmbH & Co. KG²
Hafenstrasse 12
D-2678 Leer, GERMANY

BBC Chartering & Logistic GmbH & Co. KG¹
Hafenstrasse 12
D-2678 Leer, GERMANY

~~Beluga Chartering GmbH~~
~~Schlachte 22~~
~~D-28195 Bremen, GERMANY~~

Big Lift Shipping, B.V.
Radarweg 36, 1042 AA
Amsterdam, NETHERLANDS

Chipolbrok (Chinese-Polish Joint Stock Shipping Company)
~~ul. Śląska 17~~ 55 Yanan Road East
~~81-319~~ Post Code 200002
~~Gdynia 226, POLAND~~ Shanghai, CHINA

~~Clipper Projects Ltd.~~
~~Harbour House~~
~~Sundkrogsgade 21~~
~~DK 2100 Copenhagen, DENMARK~~

K/S Combi Lift
Batterivej 7-9
4220 Korsoer, DENMARK

Hansa Heavy Lift GmbH
Oberbaumbrücke 1
20457 Hamburg, GERMANY

Hanssy Shipping Pte. Ltd.
1 Temasek Avenue, #24-05
Millennia Tower
039192 SINGAPORE

Hyundai Merchant Marine Co., Ltd.
66 Jeokseon-Dong, Jongno-Gu
Seoul 110-052, KOREA

² BBC Chartering Carriers GmbH & Co. KG and BBC Chartering & Logistic GmbH & Co. KG shall be treated as a single party with joint and several liability under this Agreement.

U.S. SUPPLEMENTAL AGREEMENT
TO HLC AGREEMENT
FMC AGREEMENT NO. 012067-011 009
8TH 7TH REVISED PAGE B8

International Council of Heavy Lift and Project Carriers (HLC) Agreement
1st Edition, April 6, 2009

Industrial Maritime Carriers, L.L.C.
Suite 2400
One Canal Plaza
365 Canal Street
New Orleans, LA 70130-1112, U.S.A.

MACS Maritime Carrier Shipping GmbH & Co.
Große Elbstraße 138
22767 Hamburg, GERMANY

Nordana Line A/S
Rungsted Strandvej 113
2960 Rungsted Kyst, DENMARK

Ocean7 Projects ApS
Sdr. Havnegade 36
6000 Kolding, DENMARK

OXL n.v.
Vismijnstraat 23b
B8380 Zeebrugge, BELGIUM

Peter Döhle Schiffahrts KG
Elbchaussee 370
22609 Hamburg, GERMANY

Rickmers-Linie GmbH & Cie. KG
Neumühlen 19
22763 Hamburg, GERMANY

Safmarine MPV N.V.
~~De Gerlaschekaai 20~~ Schaliënstraat 5
2000 Antwerp, BELGIUM

~~Seanseot Shipping Services~~
~~Ratshof Rathausstrasse 12~~
~~20095 Hamburg, GERMANY~~

~~Sean Trans Chartering ApS~~
~~6, Vestre Kaj~~
~~DK-4700~~
~~Naestved, DENMARK~~

SE Shipping Lines Pte. Ltd.
1, Maritime Square, 11-23
Harbour Front Centre
099253 SINGAPORE